



General Assembly

Substitute Bill No. 6590

January Session, 2001

AN ACT CONCERNING VICTIM SERVICES ADVOCATES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46b-122 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 All matters which are juvenile matters, as defined in section 46b-
4 121, shall be kept separate and apart from all other business of the
5 Superior Court as far as is practicable, except matters transferred
6 under the provisions of section 46b-127, which matters shall be
7 transferred to the regular criminal docket of said Superior Court. Any
8 judge hearing a juvenile matter shall, during such hearing, exclude
9 from the room in which such hearing is held any person whose
10 presence is, in the court's opinion, not necessary, except that in
11 delinquency proceedings any victim of the delinquent act, the parents
12 or guardian of such victim and any victim services advocate appointed
13 pursuant to section 54-221 shall not be excluded unless the judge
14 specifically orders otherwise.

15 Sec. 2. Subdivision (6) of subsection (b) of section 54-203 of the
16 general statutes is repealed and the following is substituted in lieu
17 thereof:

18 (6) To apply for, receive, allocate, disburse and account for grants of
19 funds made available by the United States, by the state, foundations,

20 corporations and other businesses, agencies or individuals to
21 implement a program for victim services which shall assist witnesses
22 and victims of crimes as the Office of Victim Services deems
23 appropriate within the resources available and to coordinate services
24 to victims by state and community-based agencies, with priority given
25 to victims of violent crimes, by (A) assigning, in consultation with the
26 Division of Criminal Justice, such victim services advocates as are
27 necessary to provide assistance; (B) administering victim service
28 programs; and (C) awarding grants or purchase of service contracts in
29 accordance with the plan developed under subdivision (15) of this
30 subsection to private nonprofit organizations or local units of
31 government for the direct delivery of services, except that the
32 provision of training and technical assistance of victim service
33 providers and the development and implementation of public
34 education campaigns may be provided by private nonprofit or for-
35 profit organizations or local units of government. Such grants and
36 contracts shall be the predominant method by which the Office of
37 Victim Services shall develop, implement and operate direct service
38 programs and provide training and technical assistance to victim
39 service providers.

40 Sec. 3. Section 54-220 of the general statutes is repealed and the
41 following is substituted in lieu thereof:

42 (a) Victim services advocates shall have the following
43 responsibilities and duties: (1) To provide initial screening of each
44 personal injury case; (2) to prepare victim impact statements to be
45 placed in court files; (3) to assist victims by providing information
46 needed for more effective processing of cases; (4) to provide
47 information and advice to individual victims; (5) to direct victims to
48 public and private agencies for service; (6) to coordinate victim
49 applications to the Office of Victim Services; and (7) to assist victims in
50 the processing of claims for restitution.

51 (b) Within available appropriations, the Office of Victim Services
52 may contract with any public or private agency for victim advocate

53 services in geographical area courts.

54 (c) The Office of Victim Services is within the judicial branch, and
55 victim services advocates are judicial branch employees.

56 Sec. 4. Section 53a-46d of the general statutes is repealed and the
57 following is substituted in lieu thereof:

58 A victim impact statement prepared by a victim services advocate to
59 be placed in court files in accordance with subdivision (2) of subsection
60 (a) of section 54-220, as amended by this act, may be read in court prior
61 to imposition of sentence upon a defendant found guilty of a crime
62 punishable by death.

63 Sec. 5. Subsection (h) of section 54-82t of the general statutes is
64 repealed and the following is substituted in lieu thereof:

65 (h) If the parent or parents or guardian of a child who is certified as
66 a witness at risk of harm critical to a criminal investigation or
67 prosecution as provided in subsection (b) of this section, declines the
68 provision of protective services under this section, the Office of the
69 Chief State's Attorney shall be notified within twenty-four hours after
70 such declination. Upon receipt of such notice, the Chief State's
71 Attorney shall make reasonable efforts to confer with a victim services
72 advocate providing services for the Office of Victim Services and shall,
73 not later than three days after such declination, determine if the matter
74 should be referred to the Department of Children and Families for
75 investigation as to whether such child is neglected, as defined in
76 section 46b-120, and whether the department should provide
77 protective services or take other action pursuant to chapter 319a or
78 815t with respect to such child.

Statement of Legislative Commissioners:

In subsection (c) of section 3, "exists" was changed to "is" for statutory consistency and sections 4 and 5 were added for accuracy.

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